

CHAPTER 155

BEER REGULATION BY LIQUOR COMMISSION

H. F. 672

AN ACT relating to the powers and duties of the liquor control commission over beer.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred twenty-three point sixteen
2 (123.16), Code 1966, is hereby amended as follows:

3 1. By inserting in line one (1) of subsection seven (7) after the
4 word "permits," the words "including beer permits as authorized in
5 chapter one hundred twenty-four (124) of the Code,".

6 2. By inserting in line four (4) of subsection seven (7) after the
7 word "chapter" the words "and chapter one hundred twenty-four
8 (124) of the Code".

9 3. By striking all of subsection nine (9) after the word "division"
10 in line thirteen (13) and inserting in lieu thereof the words "shall
11 enforce the provisions of title VI of the Code."

12 4. By adding thereto the following new subsection:

13 "To perform such duties and responsibilities as may be required
14 under chapter one hundred twenty-four (124) of the Code."

1 SEC. 2. Section one hundred twenty-three point seventeen
2 (123.17), Code 1966, is hereby amended as follows:

3 1. By inserting in subsection one (1), line two (2), after the word
4 "chapter" the words "and chapter one hundred twenty-four (124) of
5 the Code".

6 2. By inserting in subsection one (1), line five (5), after the word
7 "chapter" the words "and chapter one hundred twenty-four (124) of
8 the Code".

9 3. By inserting in subsection two (2), paragraph *d*, line two (2),
10 after the word "chapter" the words "and chapter one hundred twenty-
11 four (124) of the Code".

12 4. By inserting in subsection two (2), paragraph *i*, line one (1),
13 after the word "of" the word "commission".

14 5. By inserting in subsection two (2), paragraph *i*, line three (3),
15 after the word "chapter" the words "and chapter one hundred twenty-
16 four (124) of the Code".

17 6. By inserting in subsection two (2), paragraph *o*, line three (3),
18 after the word "chapter" the words "and chapter one hundred twenty-
19 four (124) of the Code".

20 7. By inserting in subsection three (3), line three (3), after the
21 word "chapter" the words "and all forms which the commission is
22 required to furnish under chapter one hundred twenty-four (124) of
23 the Code".

1 SEC. 3. Section one hundred twenty-three point fifty-three
2 (123.53), Code 1966, is hereby amended as follows:

3 1. By inserting in subsection nine (9), line three (3), after the
4 word "liquors" the words "and beer".

5 2. By inserting in subsection ten (10), line one (1), after the word
6 "licenses" the words "and beer permits".

- 7 3. By inserting in subsection eleven (11), line two (2), after the
8 word "licenses" the words "and beer permits".
9 4. By inserting in subsection eleven (11), line three (3), after the
10 word "amount" the words "of liquor control license fees".
11 5. By inserting in line fifty-one (51) after the word "liquors" the
12 words "or beer".

1 SEC. 4. Section one hundred twenty-four point two (124.2), Code
2 1966, is hereby amended as follows:

- 3 1. By striking subsection three (3) and inserting in lieu thereof the
4 following:

5 " 'Commission' means the Iowa liquor control commission."

- 6 2. By striking all of subsection seven (7) after the word "commis-
7 sion" in line two (2) of such subsection and inserting in lieu thereof
8 the following:

9 " , the liquor control commission, the city or town council of any city
10 or town, or the board of supervisors of any county."

1 SEC. 5. Section one hundred twenty-four point three (124.3), Code
2 1966, is hereby amended as follows:

- 3 1. By striking lines eighteen (18) through twenty-three (23) and
4 inserting in lieu thereof the words "The commission shall issue state
5 permits".

- 6 2. By striking all of such section after the word "provided." in line
7 twenty-eight (28).

1 SEC. 6. Section one hundred twenty-four point four (124.4), Code
2 1966, is hereby amended as follows:

- 3 1. By striking from lines one (1) and two (2) the words "state per-
4 mit board" and inserting in lieu thereof the word "commission".

- 5 2. By striking from lines ten (10) and eleven (11) the words "state
6 permit board" and inserting in lieu thereof the word "commission".

- 7 3. By striking from lines fourteen (14) and fifteen (15) the words
8 "permit board" and inserting in lieu thereof the word "commission".

- 9 4. By striking from line twenty-one (21) the words "state permit
10 board" and inserting in lieu thereof the word "commission".

- 11 5. By striking from lines twenty-five (25) and twenty-six (26) the
12 words "state permit board" and inserting in lieu thereof the word
13 "commission".

- 14 6. By striking from line thirty-seven (37) the word "board" and in-
15 serting in lieu thereof the word "commission".

- 16 7. By striking from line forty (40) the word "board" and inserting
17 in lieu thereof the word "commission".

- 18 8. By striking from line forty-eight (48) the word "board" and in-
19 serting in lieu thereof the word "commission".

- 20 9. By striking from line fifty-one (51) the word "board" and in-
21 serting in lieu thereof the word "commission".

- 22 10. By striking from line fifty-three (53) the word "board" and in-
23 serting in lieu thereof the word "commission".

- 24 11. By striking from line fifty-nine (59) the word "board" and in-
25 serting in lieu thereof the word "commission".

- 26 12. By striking from line seventy-one (71) the word "board" and
27 inserting in lieu thereof the word "commission".

- 28 13. By striking from lines eighty (80) and eighty-one (81) the

29 words "state permit board" and inserting in lieu thereof the word
30 "commission".

31 14. By striking from line eighty-six (86) the words "state permit
32 board" and inserting in lieu thereof the word "commission".

33 15. By striking from line eighty-nine (89) the words "state permit
34 board" and inserting in lieu thereof the word "commission".

35 16. By striking from line ninety-five (95) the word "board" and in-
36 serting in lieu thereof the word "commission".

1 SEC. 7. Section one hundred twenty-four point five (124.5), Code
2 1966, is hereby amended as follows:

3 1. By striking from line twenty-five (25) the words "state permit
4 board" and inserting in lieu thereof the word "commission".

5 2. By striking from line twenty-eight (28) the words "state permit
6 board" and inserting in lieu thereof the word "commission".

7 3. By striking from line twenty-nine (29) the words "state board"
8 and inserting in lieu thereof the word "commission".

9 4. By striking from line thirty-two (32) the words "state tax".

10 5. By striking from line thirty-three (33) the words "state permit
11 board" and inserting in lieu thereof the word "commission".

12 6. By striking from line thirty-eight (38) the words "state permit
13 board" and inserting in lieu thereof the word "commission".

14 7. By striking from line thirty-nine (39) the words "state permit
15 board" and inserting in lieu thereof the word "commission".

16 8. By striking from lines forty-nine (49) and fifty (50) the words
17 "state permit board" and inserting in lieu thereof the word "commis-
18 sion".

19 9. By striking from line fifty-one (51) the words "state permit
20 board" and inserting in lieu thereof the word "commission".

21 10. By striking from line fifty-three (53) the words "state permit
22 board" and inserting in lieu thereof the word "commission".

1 SEC. 8. Section one hundred twenty-four point six (124.6), Code
2 1966, is hereby amended by inserting in line forty-two (42) after the
3 word "the" the words "state tax commission, liquor control".

1 SEC. 9. Section one hundred twenty-four point nine (124.9), sub-
2 section three (3), Code 1966, is hereby amended by striking lines one
3 (1) and two (2) and inserting in lieu thereof the following:

4 "Furnishes a bond to the commission in the form prescribed and
5 furnished by the commis-".

1 SEC. 10. Section one hundred twenty-four point ten (124.10), sub-
2 section three (3), Code 1966, is hereby amended by striking lines one
3 (1), two (2), and three (3) and inserting in lieu thereof the follow-
4 ing:

5 "Furnishes a bond to the commission in the form prescribed and
6 furnished by the commission, with good and suffi-".

1 SEC. 11. Section one hundred twenty-four point fourteen (124.14),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line five (5) the words "state tax".

4 2. By striking from line six (6) the words "state tax".

5 3. By striking from line seventeen (17) the words "state tax".

6 4. By striking from line twenty-nine (29) the words "state tax".

7 5. By striking from line thirty-one (31) the words "state tax".

1 SEC. 12. Section one hundred twenty-four point twenty-four
2 (124.24), Code 1966, is hereby amended as follows:

3 1. By striking from line thirty-two (32) the words "into the state
4 tax" and inserting in lieu thereof the words "to the".

5 2. By striking from line thirty-three (33) the words "state tax".

1 SEC. 13. Section one hundred twenty-four point twenty-six
2 (124.26), Code 1966, is hereby amended by inserting in line twenty-
3 one (21) after the words "to the" the words "state tax".

1 SEC. 14. Section one hundred twenty-four point twenty-seven
2 (124.27), Code 1966, is hereby amended by striking from line fifteen
3 (15) the words "or its authorized representative" and inserting in lieu
4 thereof the words "and the liquor control commission or their author-
5 ized representatives".

1 SEC. 15. Section one hundred twenty-four point thirty-three
2 (124.33), subsection two (2), Code 1966, is hereby amended by insert-
3 ing in line two (2) after the word "commission" the words "and the
4 liquor control commission".

1 SEC. 16. Chapter one hundred twenty-four (124), Code 1966, is
2 hereby amended by adding thereto the following new section:

3 "As a condition for the issuance or retention of a beer permit, the
4 permittee shall give consent for members of the fire, police, and health
5 departments and the building inspector of cities and towns, the com-
6 mission and its agents, the county sheriff, deputy sheriff and state
7 agents, and county health officer to enter upon premises without a
8 warrant to inspect for violations of the provisions of title six (VI) of
9 the Code, or the provisions of ordinances and regulations that cities
10 and towns and boards of supervisors may adopt."

Approved June 29, 1967.

CHAPTER 156

LIQUOR LICENSE FEES

H. F. 100

AN ACT relating to liquor license fees.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred twenty-three point twenty-eight
2 (123.28), Code 1966, is hereby amended by striking from paragraph d
3 of subsection three (3) all of line three (3) and inserting in lieu there-
4 of the following:

5 "a sum equal to that charged in the incorporated city or town lo-
6 cated nearest the premises to be licensed, and in case there is any
7 doubt as to which of two or more differing corporate limits are the
8 nearest, the license fee which is the larger shall prevail."

Approved June 29, 1967.